

ORDINANCE NO. 020829-34

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4404 WEST WILLIAM CANNON DRIVE FROM COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT TO COMMERCIAL-LIQUOR SALES-CONDITIONAL OVERLAY (CS-1-CO) COMBINING DISTRICT FOR TRACT ONE, FROM COMMERCIAL-LIQUOR SALES-CONDITIONAL OVERLAY (CS-1-CO) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT TWO AND FROM COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT THREE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base districts on the property described in Zoning Case No.C14-02-0045, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From community commercial-conditional overlay (GR-CO) combining district to commercial-liquor sales-conditional overlay (CS-1-CO) combining district.

A 3,290 square foot tract of land, more or less, out of Lot 1B, Resubdivision of Lot 1, Westcreek Section Ten, Phase F Subdivision in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, and

Tract Two: From commercial-liquor sales-conditional overlay (CS-1-CO) combining district to community commercial-conditional overlay (GR-CO) combining district.

A 3,500 square foot tract of land, more or less, out of Lot 1B, Resubdivision of Lot 1, Westcreek Section Ten, Phase F Subdivision in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance, and

Tract Three: From community commercial-conditional overlay (GR-CO) combining district to community commercial-conditional overlay (GR-CO) combining district.

A 1,418 square foot tract of land, more or less, out of Lot 1B, Resubdivision of Lot 1, Westcreek Section Ten, Phase F Subdivision in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "C" incorporated into this ordinance, (the "Property")

locally known as 4404 West William Cannon Drive, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "D".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. The following uses of the Property are prohibited uses:

Automotive rentals	Funeral services
Automotive repair services	Automotive washing (of any type)
Automotive sales	Indoor entertainment
Outdoor sports and recreation	Business or trade school
Pawn shop services	Commercial off-street parking
Research services	Communications services
Restaurant (drive-in, fast food)	Drop-off recycling collection facility
Theater	Exterminating services
Service station	Hotel-motel
Agricultural sales and services	Art and craft studio (general)
Art and craft studio (limited)	Building maintenance services
Campground	Construction sales and services
Convenience storage	Electronic prototype assembly
Equipment repair services	Equipment sales
Kennels	Laundry service
Plant nursery	Vehicle storage
Veterinary services	Custom manufacturing
Limited warehousing and distribution	Maintenance and service facilities

2. Cocktail lounge use is prohibited as a conditional use on Tract One.

3. A building constructed for an office use may not exceed 40 feet in height above ground level on the Property (excluding parapet walls, cornices, etc.)
4. A building constructed for a retail or commercial use may not exceed 30 feet in height above ground level on the Property (excluding parapet walls, cornices, etc.)
5. At the time an application for approval of a site plan is submitted for development of the Property, or any portion of the Property, a plan for the use of native plants according to the guidelines in Appendix A of the Environmental Criteria Manual shall be submitted to the Watershed Protection and Development Review Department for review and approval.
6. The minimum capture volume required for water quality control within the drainage area is the first one-half inch of runoff plus an additional one-tenth inch for each ten percent increase of impervious cover over 20 percent of gross site area.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

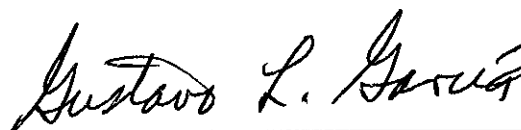
PART 3. The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on September 9, 2002.

PASSED AND APPROVED

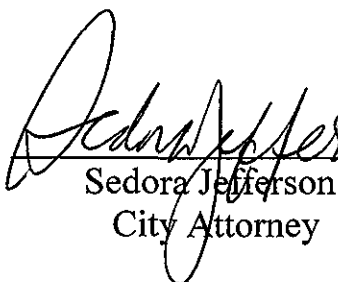
_____, August 29, 2002

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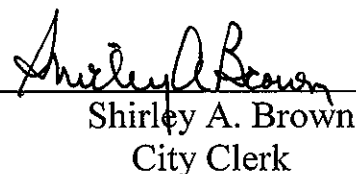


Gustavo L. Garcia
Mayor

APPROVED:


Sedora Jefferson
City Attorney

ATTEST:


Shirley A. Brown
City Clerk



**Professional Land Surveying, Inc.
Surveying and Mapping**

Tract 1
C4-1-CO zoning granted
Office: 512-476-7103
Fax: 512-476-7105

510 South Congress Ave.
Suite B-100
Austin, Texas 78704

**ZONING DESCRIPTION
3,290 SQUARE FEET**

A DESCRIPTION OF A 3,290 SQUARE FOOT TRACT OF LAND, BEING A PORTION OF LOT 1B, RESUBDIVISION OF LOT 1, WESTCREEK, SECTION TEN, PHASE F, A SUBDIVISION OF RECORD IN BOOK 98, PAGE 244, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 3,290 SQUARE FOOT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a punch mark found in top of a rock column in the easterly line of Brush Country Road (90' R.O.W.), being the common westerly corner of that 6.206 Acre Tract of land described in Volume 7187, Page 943 of the Deed Records of Travis County, Texas and said Lot 1B, from which a 1/2" rebar found in the westerly line of Sanderson Avenue (64' R.O.W.) being the common easterly corner of the said 6.206 Acre Tract and said Lot 1B bears South 75°10'33" East a distance of 928.43 feet;

✓ **THENCE** South 75°10'33" East, with the northerly line of said Lot 1B, same being the southerly line of the said 6.206 Acre Tract, a distance of 620.87 feet to a calculated point;

✓ **THENCE** South 14°49'27" West, over and across said Lot 1B, a distance of 110.86 feet to the **POINT OF BEGINNING**;

THENCE over and across Lot 1B, the following four (4) courses:

✓ 1. South 75°10'33" East, a distance of 47.00 feet to a calculated point;

✓ 2. South 14°49'27" West a distance of 70.00 feet to a calculated point;

✓ 3. North 75°10'33" West a distance of 47.00 feet to a calculated point;

✓ 4. North 14°49'27" East a distance of 70.00 feet to the **POINT OF BEGINNING** and containing 3,290 square feet of land.

EXHIBIT A

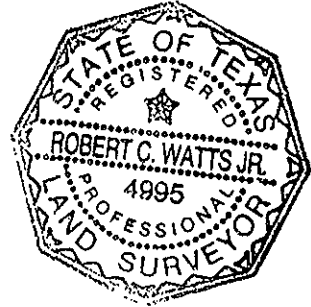
Page 2

Surveyed on the ground March 14, 1998. Attachments: Survey Drawing No. 127-01E1. Bearing Basis is the northerly line of Lot 1B, Resubdivision of Lot 1, Westcreek, Section 10, Phase F, a Subdivision of record in Book 98, Page 244, of the Plat Records of Travis County, Texas.

Robert C. Watts Jr.

3-25-02

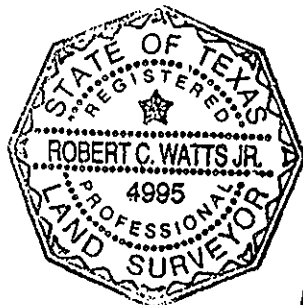
Robert C. Watts, Jr.
Registered Professional Land Surveyor
State of Texas No. 4995



A SKETCH TO ACCOMPANY FIELD NOTES OF A 3,290 SQUARE FOOT TRACT OF LAND, BEING A PORTION OF LOT 1B, RESUBDIVISION OF LOT 1, WESTCREEK, SECTION TEN, PHASE F, A SUBDIVISION OF RECORD IN BOOK 98, PAGE 244 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS

NUMBER	DELTA	RADIUS	ARC	CHORD BEARING	CHORD	(RECORD CHORD)
C1	08°39'34"	692.59	104.67	S14°41'08"W	104.57	(S14°43'00"W 105.06')
C2	03°56'52"	512.28	35.30	S12°17'47"W	35.29	(S12°21'00"W 35.29')
C3	48°34'26"	30.00	25.43	S38°58'06"W	24.68	(S38°58'26"W 24.69')
C4	108°45'41"	64.00	121.49	S08°45'24"W	104.05	(S08°42'00"W 104.04')
C5	03°54'55"	2560.00	174.94	N66°45'06"W	174.90	(N66°43'03"W 174.94')
C6	18°05'25"	745.00	235.22	N19°20'09"E	234.25	(N19°21'22"E 234.11')

NUMBER	DIRECTION	DISTANCE	(RECORD)
L1	S14°49'27"W	110.86'	
L2	S75°10'33"E	47.00'	
L3	S14°49'27"W	70.00'	
L4	N75°10'33"W	47.00'	
L5	N14°49'27"E	70.00'	
L6	S10°20'04"W	182.29'	(S10°22'00"W 182.16')
L7	S14°25'45"W	21.12'	(S14°29'22"W 21.13')
L8	N14°55'49"E	216.41'	(N14°59'12"E 216.36')
L9	N75°14'46"W	165.49'	(N75°10'18"W 165.46')



Robert Watts
3-25-02

Chaparral

PROJECT NO.: 127-001
DRAWING NO.: 127-0102
PLOT DATE: 03-25-02
DRAWN BY: BJ



**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-476-7103
Fax: 512-476-7105

510 South Congress Ave.
Suite B-100
Austin, Texas 78704

Tract 2
CR-CO zoning
granted

**ZONING DESCRIPTION
3,500 SQUARE FEET**

A DESCRIPTION OF A 3,500 SQUARE FOOT TRACT OF LAND, BEING A PORTION OF LOT 1B, RESUBDIVISION OF LOT 1, WESTCREEK, SECTION TEN, PHASE F, A SUBDIVISION OF RECORD IN BOOK 98, PAGE 244, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 3,500 SQUARE FOOT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a punch mark found in top of a rock column in the easterly line of Brush Country Road (90' R.O.W.), being the common westerly corner of that 6.206 Acre Tract of land described in Volume 7187, Page 943 of the Deed Records of Travis County, Texas and said Lot 1B, from which a 1/2" rebar found in the westerly line of Sanderson Avenue (64' R.O.W.) being the common easterly corner of the said 6.206 Acre Tract and said Lot 1B bears South 75°10'33" East a distance of 928.43 feet;

✓ THENCE South 75°10'33" East, with the northerly line of said Lot 1B, same being the southerly line of the said 6.206 Acre Tract, a distance of 550.62 feet to a point;

✓ THENCE South 14°49'27" West, over and across said Lot 1B, a distance of 110.86 feet to the POINT OF BEGINNING;

THENCE over and across Lot 1B, the following four (4) courses:

✓ 1. South 75°10'33" East, a distance of 50.00 feet to a point;

✓ 2. South 14°49'27" West a distance of 70.00 feet to a point;

✓ 3. North 75°10'33" West a distance of 50.00 feet to a point;

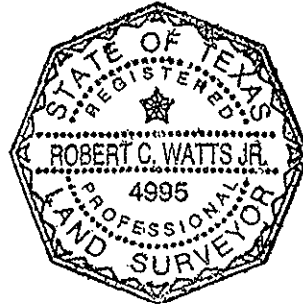
✓ 4. North 14°49'27" East a distance of 70.00 feet to the POINT OF BEGINNING and containing 3,500 square feet of land.

EXHIBIT B

Surveyed on the ground March 14, 1998. Attachments: Survey Drawing No. 127-01E1. Bearing Basis is the northerly line of Lot 1B, Resubdivision of Lot 1, Westcreek, Section 10, Phase F, a Subdivision of record in Book 98, Page 244, of the Plat Records of Travis County, Texas.

Robert C. Watts 12-28-99

Robert C. Watts, Jr.
Registered Professional Land Surveyor
State of Texas No. 4995



LEGEND

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WESTCREEK LANDING CONDOMINIUMS
PHASE I-IV

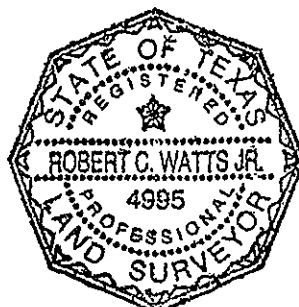
Chaparral

A SKETCH TO ACCOMPANY FIELD NOTES OF A 3,500 SQUARE FOOT TRACT OF LAND, BEING A PORTION OF LOT 1B, RESUBDIVISION OF LOT 1, WESTCREEK, SECTION TEN, PHASE F, A SUBDIVISION OF RECORD IN BOOK 98, PAGE 244 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS

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C2	03°56'52"	512.28	35.30	S12°17'47"W	35.29	(S12°21'00"W 35.29')
C3	48°34'26"	30.00	25.43	S38°58'06"W	24.68	(S38°58'26"W 24.69')
C4	108°45'41"	64.00	121.49	S08°45'24"W	104.05	(S08°42'00"W 104.04')
C5	03°54'55"	2560.00	174.94	N66°45'06"W	174.90	(N66°43'03"W 174.94')
C6	18°05'25"	745.00	235.22	N19°20'09"E	234.25	(N19°21'22"E 234.11')

NUMBER	DIRECTION	DISTANCE	(RECORD)
L1	S14°49'27"W	110.86'	
L2	S75°10'33"E	50.00'	
L3	S14°49'27"W	70.00'	
L4	N75°10'33"W	50.00'	
L5	N14°49'27"E	70.00'	
L6	S10°20'04"W	182.29'	(S10°22'00"W 182.16')
L7	S14°25'45"W	21.12'	(S14°29'22"W 21.13')
L8	N14°55'49"E	216.41'	(N14°59'12"E 216.36')
L9	N75°14'46"W	165.49'	(N75°10'18"W 165.46')

Robert Watts
12-28-99



PROJECT NO.: 127-001
DRAWING NO.: 127-01E1
PLOT DATE: 12-22-99
DRAWN BY: PMC

Chaparral



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-476-7103
Fax: 512-476-7105

510 South Congress Ave.
Suite B-100
Austin, Texas 78704

Tract 3
GR-COATING
granted

ZONING DESCRIPTION
1,418 SQUARE FEET

A DESCRIPTION OF A 1,418 SQUARE FOOT TRACT OF LAND, BEING A PORTION OF LOT 1B, RESUBDIVISION OF LOT 1, WESTCREEK, SECTION TEN, PHASE F, A SUBDIVISION OF RECORD IN BOOK 98, PAGE 244, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 1,418 SQUARE FOOT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a punch mark found in top of a rock column in the easterly line of Brush Country Road (90' R.O.W.), being the common westerly corner of that 6.206 Acre Tract of land described in Volume 7187, Page 943 of the Deed Records of Travis County, Texas and said Lot 1B, from which a 1/2" rebar found in the westerly line of Sanderson Avenue (64' R.O.W.), being the common easterly corner of the said 6.206 Acre Tract and said Lot 1B, bears South 75°10'33" East a distance of 928.43 feet;

THENCE South 75°10'33" East, with the northerly line of said Lot 1B, same being the southerly line of the said 6.206 Acre Tract, a distance of 620.87 feet to a calculated point;

THENCE South 14°49'27" West, over said Lot 1B, a distance of 110.86 feet to a calculated point for the northeast corner hereof and the true **POINT OF BEGINNING**;

THENCE over Lot 1B, the following four (4) courses:

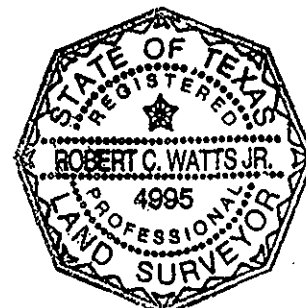
1. South 14°49'27" West a distance of 70.00 feet to a calculated point;
2. North 75°10'33" West a distance of 20.25 feet to a calculated point;
3. North 14°49'27" East a distance of 70.00 feet to a calculated point;
4. South 78°10'33" East a distance of 20.25 feet to the **POINT OF BEGINNING**, containing 1,418 square feet of land, more or less.

Surveyed on the ground March 14, 1998. Attachments: Survey Drawing No. 127-0103. Bearing Basis is the northerly line of Lot 1B, Resubdivision of Lot 1, Westcreek, Section 10, Phase F, a Subdivision of record in Book 98, Page 244, of the Plat Records of Travis County, Texas.

Robert C. Watts Jr.

Robert C. Watts, Jr.
Registered Professional Land Surveyor
State of Texas No. 4995

EXHIBIT C



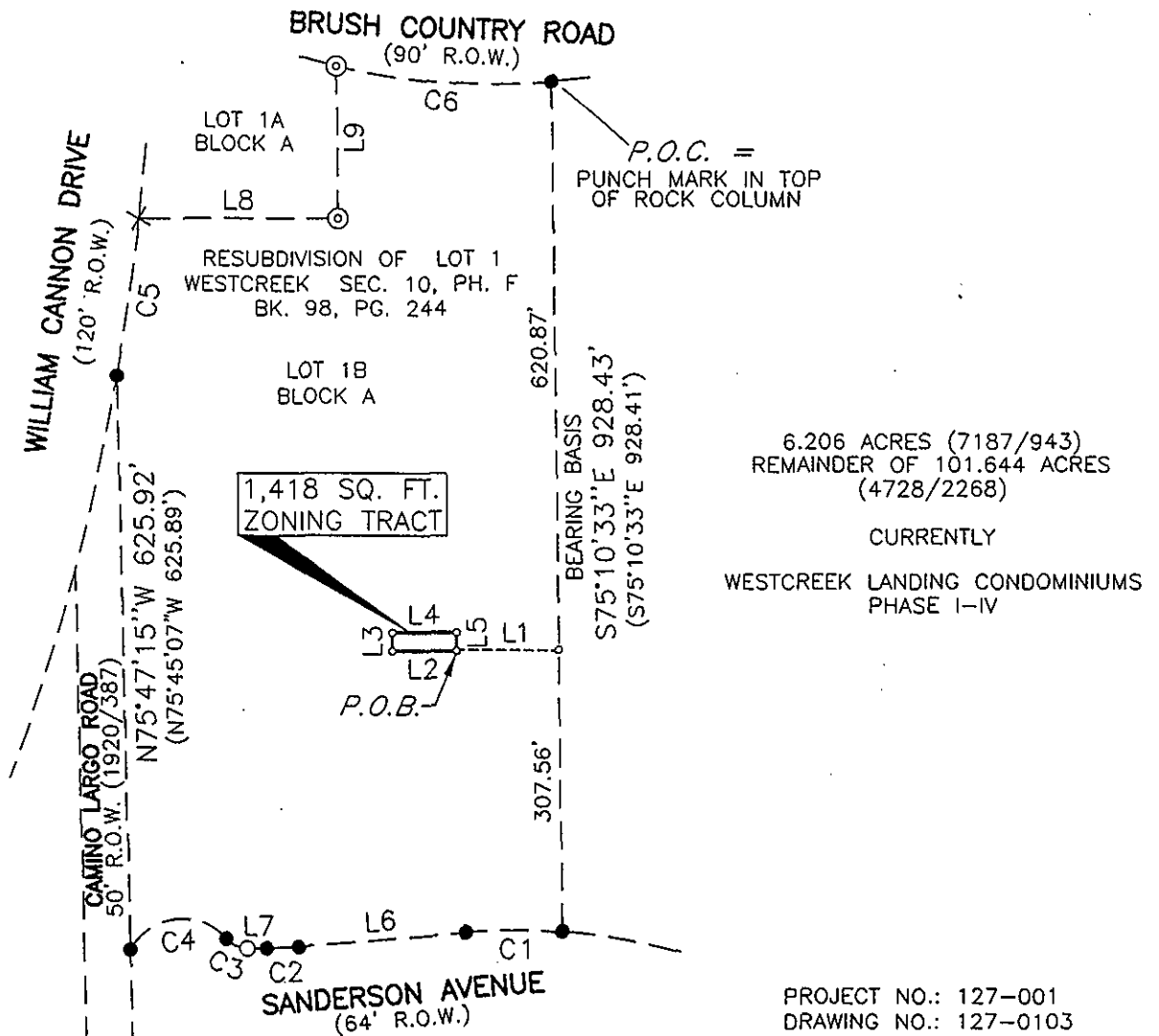
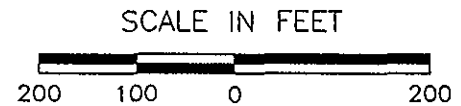
4-2-02

A SKETCH TO ACCOMPANY FIELD NOTES OF A 1,418 SQUARE FOOT TRACT OF LAND, BEING A PORTION OF LOT 1B, RESUBDIVISION OF LOT 1, WESTCREEK, SECTION TEN, PHASE F, A SUBDIVISION OF RECORD IN BOOK 98, PAGE 244 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS

LEGEND

- 1/2" REBAR FOUND (UNLESS NOTED)
- 1/2" REBAR WITH CAP SET
- × X IN CONC. FOUND
- ⊙ 1/2" REBAR IN CONC. FOUND
- CALCULATED POINT

ATTACHMENTS: METES AND BOUNDS DESCRIPTION



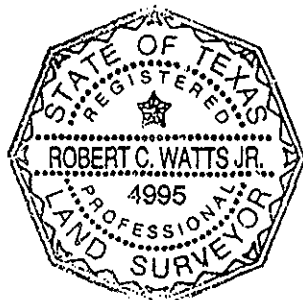
PROJECT NO.: 127-001
DRAWING NO.: 127-0103
PLOT DATE: 04-02-02
DRAWN BY: BJ, EJD

Chaparral

A SKETCH TO ACCOMPANY FIELD NOTES OF A 1,418 SQUARE FOOT TRACT OF LAND, BEING A PORTION OF LOT 1B, RESUBDIVISION OF LOT 1, WESTCREEK, SECTION TEN, PHASE F, A SUBDIVISION OF RECORD IN BOOK 98, PAGE 244 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS

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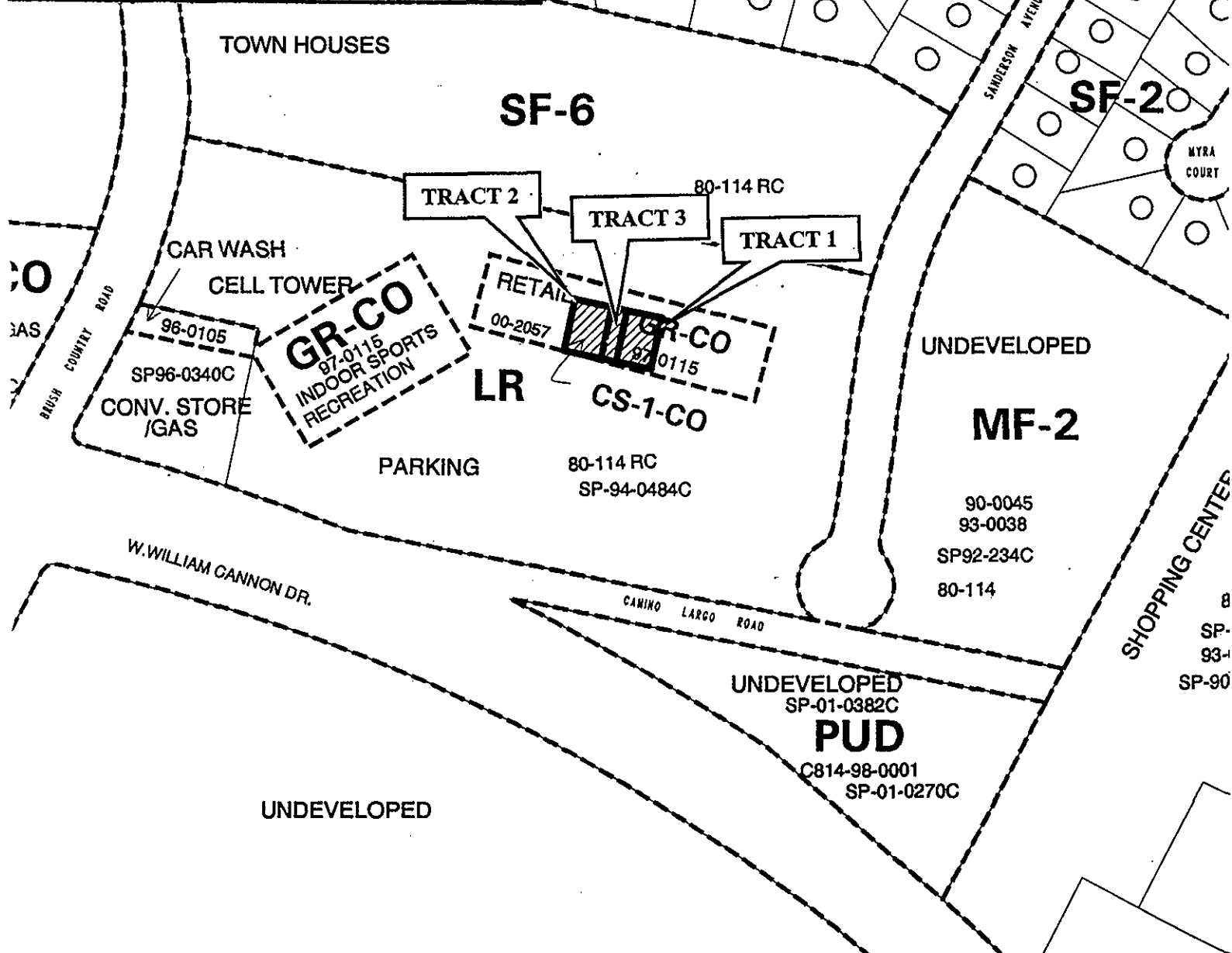
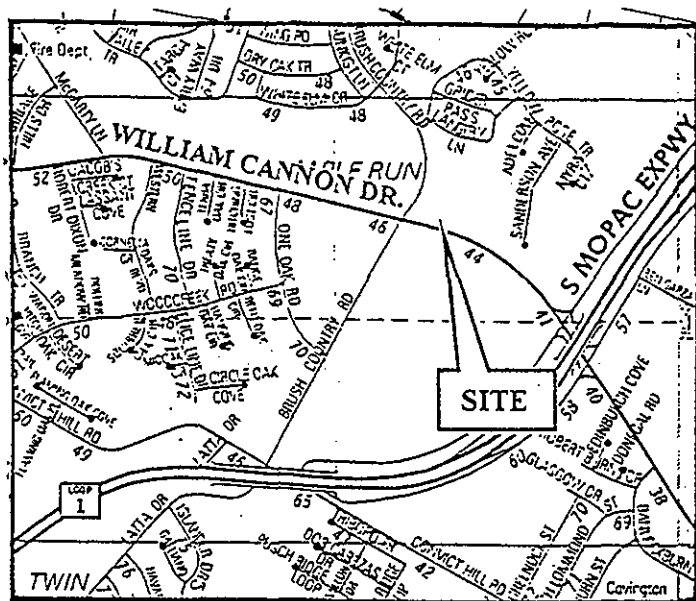
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Robert Watts
4-2-02

Chaparral

PROJECT NO.: 127-001
DRAWING NO.: 127-0103
PLOT DATE: 04-02-02
DRAWN BY: BJ, EJD



	<p>SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: W.WALSH</p>		<p>CASE #: C14-02-0045 ADDRESS: 4404 W.WILLIAM CANNON DR SUBJECT AREA (acres): 0.188</p>	<p>ZONING <i>EXHIBIT D</i></p>	<p>DATE: 02-08 INTLS: TRC</p>	<p>CITY GRID REFERENCE NUMBER D18</p>
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